Sir:

In response to the Office Action of April 24, 2003, Applicants respectfully request that the above-identified application be amended as follows:

IN THE CLAIMS

Please amend claims 1 and 11 by rewriting same to read as follows.

--1. (Three Times Amended) A recording and reproducing apparatus, comprising:

a storing portion for storing data programs and including a first management area for storing index data for managing said data programs, wherein said index data is an imperfect index data so that said data programs are unreproduceable from said storing portion, and a second management area for recording management data for identifying said data programs and/or said index data;

a recording and reproducing portion for recording and reproducing data from said storing portion; and

a signal generating portion for generating a perfect index data based on said management data so that said data

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programs are reproduceable by said recording and reproducing portion,

wherein when said signal generating portion transmits said perfect index data to said recording and reproducing portion, said recording and reproducing portion rewrites said imperfect index data with said perfect index data and is enabled to reproduce said stored data programs stored in said storing portion.

--11. (Three Times Amended) A recording and reproducing apparatus comprising:

a recording and reproducing portion, having a storing portion for storing data programs and including a first management area for storing index data for managing said data programs, wherein said index data is an imperfect index data so that said data programs are unreproduceable from said storing portion, and a second management area for recording management data for identifying said data program and/or said index data, and said recording and reproducing portion records and reproduces data to/from said storing portion; and

a server unit having a signal generating portion for generating a perfect index data based on said management

data so that said data programs are reproduceable by said

recording and reproducing portion,

    wherein when said signal generating portion transmits

said perfect index data to said recording and reproducing

portion, said recording and reproducing portion rewrites

said imperfect index data with said perfect index data and

is enabled to reproduce said stored data programs stored in

said storing portion.--